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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,775	11/14/2003	Martin Willmer	HOE-787	8764

20028 7590 12/16/2004

LAW OFFICE OF BARRY R LIPSITZ
755 MAIN STREET
MONROE, CT 06468

EXAMINER


WAKS, JOSEPH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/713,775	Applicant(s) WILLMER ET AL.	
	Examiner Joseph Waks	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-14, 16-19, 21 and 23-28 is/are rejected.
- 7) ☒ Claim(s) 15, 20 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0404</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claimed feature of the at least one rib connecting the regions of the sleeve body lying on either side of the feed line and stabilizing them in relation to each other is ambiguous and indefinite since it is not clear what is stabilized: the ribs, the feed line or the ribs versus the rib the feed line.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ijlstra et al. (US 4,104,484).

Ijlstra et al. disclose invention as claimed: an electric motor including a housing sleeve 4, a first housing cover 5 disposed at the end of the housing sleeve, a rotor 2, a stator 1 disposed in

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the housing, a motor winding 17, an electrical connection unit 14 disposed on the housing the first cover, feed lines 22 leading from the electrical connection unit to the motor winding running within the housing sleeve.

6. Claims 1-6, 8, 9, 13, 14, 16-19, 21 and 24-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Iijima (US 5,661,357).

Iijima discloses invention as claimed: an electric motor including a housing sleeve 12 made of insulating material in form of plastic, a first housing cover 13 disposed at the end of the housing sleeve, a rotor 24, a stator 23 disposed in the housing, a winding, an electrical connection unit 66 disposed on the first cover, feed line 55 leading from the electrical connection unit to the motor winding running within the housing sleeve, the rib 59₃ parallel to the rotor axis.

Re claim 4, the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation has not been given patentable weight.

7. Claims 1, 9-11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Armiroli (DE19630658A1).

Armiroli discloses invention as claimed: an electric machine including a housing sleeve 14, a first housing cover 52 disposed at the end of the housing sleeve, a rotor 90, a stator 38, 40 disposed in the housing, a motor winding 40, an electrical connection unit including board 108 disposed on the housing first cover, feed lines 114 leading from the electrical connection unit to the motor winding running within the housing sleeve.

8. Claims 1, 12-14 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi et al. (US 5,523,634).

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Takahashi et al. disclose invention as claimed: an electric machine including a housing sleeve 44, a housing cover 40A disposed at the end of the housing sleeve, a rotor 20, 22 first and second stator units 38A, 38B, 48A, 48B disposed in the housing, a motor windings 38A, 38B, an electrical connection unit 54A, 54B disposed on the housing cover, feed lines 39 leading from the electrical connection unit to the motor winding running within the housing sleeve, grooves 43.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iijima (US 5,661,357) in view of Sharp (US 4,181,472).

Iijima discloses the motor essentially as claimed. However, Iijima does not disclose the at least one rib connecting the regions of the sleeve body lying on either side of the feed line.

Sharp discloses ribs 34 lying on either side of the feed line 58,60 for the purpose of confining the lead along the sleeve 30.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the motor as taught by Iijima and to provide the ribs as taught by Sharp for the purpose of confining the lead along the sleeve.

Allowable Subject Matter

11. Claims 15, 20 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The feature of the groove starting at the outer surface of the housing sleeve and extending radially inwards into the housing sleeve and /or the line fixed in the groove by a bounding compound, and/or the groove in the cover adjoining the groove in the sleeve in exact alignment, in combination with the other limitations present, are neither disclosed nor taught by the prior art of record.

Prior Art

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Waks whose telephone number is (571) 272-2037. The examiner can normally be reached on Monday through Thursday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph Waks
Primary Examiner
Art Unit 2834

12/10/04